

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 3, 7, and 9 are cancelled. Claims 1-2, 4-6, 8, and 10-15 remain in the application and are submitted for the Examiner's reconsideration.

In the October 12, 2006 Office Action, claims 1-2, 4-6, 8, and 10-13 were rejected under 35 U.S.C. § 102(e) as being anticipated by Misra (U.S. Patent No. 6,189,146), claims 3 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Misra in view of Yoshiura (U.S. Patent No. 6,131,162), and claims 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Misra. Claims 3 and 9 are cancelled. Applicant submits that the remaining claims are patentably distinguishable over the cited references.

Claim 1, for example, calls for:

a transmitting unit operable to transmit a decryption key needed to decrypt the encrypted content to the another apparatus when the authentication information is valid and a count of a total number of apparatuses having permission to receive the encrypted content is less than a maximum value[.] (Emphasis added.)

For the reasons set out in the January 11, 2007 Amendment, the relied-on sections of Misra do not disclose or suggest transmitting a decryption key needed to decrypt encrypted content to another apparatus. Claims 1, 4, 5, 6, 10 and 11 have each been amended to more clearly show this distinction.

In the Advisory Action, the Examiner asserts that "Misra digitally signs the license pack and sends it to the requesting server, using encryption, inherently comprises making the key for decryption available to the recipient...." However, the decryption key described by the Examiner is used to decrypt the license pack or to decrypt the digital signature. (See col.7 11.12-20.) The relied-on sections of Misra neither

disclose nor suggest that the requesting server uses this decryption key to decrypt encrypted content and neither disclose nor suggest that the client device uses this decryption key to decrypt encrypted content, and hence the relied-on sections of the reference do not disclose or suggest transmitting a decryption key needed to decrypt encrypted content.

Moreover, claim 1 has been amended to include the limitations previously set out in claim 3, and claims 4 and 5 have each been amended to include limitations similar to those previously set out in claim 3. Further, claim 6 has been amended to include the limitations previously set out in claim 9, and claims 10 and 11 have each been amended to include limitations similar to those previously set out in claim 9.

As an example, amended claim 1 calls for:

an information updating unit operable to delete the identification information stored in said storage unit and to reset the count of the total number of apparatuses having permission to receive the encrypted content when the decryption key needed to decrypt the encrypted content is changed. (Emphasis added.)

Independent claims 4, 5, 6, 10 and 11, as amended, each include similar limitations.

In the October 12, 2006 Office Action, the Examiner acknowledged that Misra does not disclose the limitations set out in claims 3 and 9 but contended that Yoshiura teaches such limitations relying on column 25, lines 1-67 of Yoshiura. For the reasons set out in the January 11, 2007 Amendment, the section of Yoshiura relied-on by the Examiner is not at all concerned with deleting identification information stored in a storage unit and is not at all concerned with resetting a count of a total number of apparatuses having permission to receive encrypted content when a decryption key needed to decrypt encrypted content is changed.

It follows that the relied-on sections of Misra and the relied-on section of Yoshiura, whether taken alone or in combination, do not disclose or suggest the information processing apparatuses defined in claims 1 and 6, do not disclose or suggest the methods defined in claims 4 and 10, and do not disclose or suggest the computer-readable media defined in claims 5 and 11. Therefore, each of claims 1, 4, 5, 6, 10, and 11 is patentably distinct and unobvious over the cited references.

Claims 2 and 12 depend from claim 1, claims 8 and 13 depend from claim 6, claim 14 depends from claim 4, and claim 15 depends from claim 5. Therefore, each of these claims is distinguishable over the cited art for at least the same reasons as its parent claim.

Accordingly, Applicant respectfully requests the withdrawal of the rejections under 35 U.S.C. §§ 102(e) and 103(a).

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

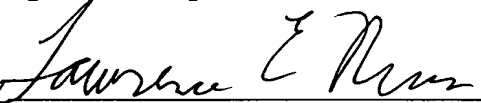
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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By 

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